

**Cutler**  
**37358-041706**



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**APRIL 17, 2006  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call.**

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Today's Council meeting will be replayed on Channel 3 on Thursday, April 20, 2006, at 7:00 p.m., and Saturday, April 22, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), CLICK ON THE SERVICE ICON, CLICK ON COUNCIL AGENDAS TO ACCESS THE APPROPRIATE AGENDA AND COUNCIL MEETING. IF ADOBE ACROBAT IS NOT AVAILABLE, A PROMPT WILL APPEAR TO DOWNLOAD PRIOR TO VIEWING AGENDA INFORMATION.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), TO OBTAIN AN APPLICATION.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

Proclamation declaring April, 2006 as Child Abuse Prevention Month.  
File #3-72-304

Proclamation declaring Monday, April 17, 2006, as Fireman's Fund Insurance Company Day.

**File #3-70**

3.

### **CONSENT AGENDA**

**Approved (7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

C-1 Minutes of the regular meetings of Council held on Monday, March 6, 2006, and Monday, March 20, 2006.

**RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.**

C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-371 1(A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #1 10-1 32**

C-3 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-371 1(A)(3), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #1 32**

C-4 A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-371 1(A)(3), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #1 32**

- c-5            A communication from the City Planning Commission transmitting the 2005 Annual Report.  
**RECOMMENDED ACTION: Receive and file.**  
**File #200**
- C-6            A communication from Sandra B. Kelly, Chair, Roanoke Neighborhood Advocates, advising of the resignation of John Griessmayer as a member of the Roanoke Neighborhood Advocates.  
**RECOMMENDED ACTION: Accept the resignation and receive and file the communication.**  
**File #1 10-488**
- c-7            Qualification of Darlene L. Burcham as a Commissioner of The Hotel Roanoke Conference Center Commission for a term ending April 12, 2010.  
**RECOMMENDED ACTION: Receive and file.**  
**File #15-110-247**
- c-8            A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION: Concur in the request.**  
**File #1 32**

## **REGULAR AGENDA**

### **4. PUBLIC HEARINGS: NONE.**

### **5. PETITIONS AND COMMUNICATIONS:**

- a.            A communication from Council Member Sherman P. Lea, the City's representative to the Roanoke Valley Regional Cable Television Committee, transmitting the RVTV Fiscal Year 2007 budget.  
**Adopted Resolution No. 37358-041706. (7-0)**  
**File #60-448**

## 6. REPORTS OF OFFICERS:

### a. CITY MANAGER:

#### BRIEFINGS:

- Status Report - Affirmative Action - 15 minutes  
and Diversity Initiatives for Calendar Year 2006
- Fiscal Year 2007 Recommended Budget - 30 minutes

**File #60-184**

#### ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Fireman's Fund Heritage Program Grant funds, in the amount of \$50,000.00, from the Fireman's Fund Insurance Company; and appropriation of funds.  
**Adopted Budget Ordinance No. 37359-041706 and Resolution No. 37360-041706. (7-0)**  
**File #60-70-236**
2. Amendment of the City Code to provide for the addition of a \$1.00 fuel surcharge to the current meter price charged for taxicab and for-hire automobile service, effective May 1, 2006.  
**Adopted Ordinance No. 37361-041706. (7-0)**  
**File #24-47**
3. Execution of an Agreement with the Western Virginia Workforce Development Board to provide grant funded employee status, including benefits for full time employees, to staff the Western Virginia Workforce Development Board.  
**Adopted Resolution No. 37362-041706. (7-0)**  
**File #60-72-236**

## **7. REPORTS OF COMMITTEES:**

- a. Request of the Roanoke City School Board for appropriation of \$4,100,000.00 in 2002 Capital Bond Funds from the City of Roanoke Capital Fund to the Roanoke City Public Schools Capital Fund, to provide for construction of a football stadium on the campus of William Fleming High School; and a report of the Director of Finance advising that funds are available. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 37363-041 706. (5-2, Council Members Lea and Wishneff voted no.)  
File #60-467**

- b. Request of the Roanoke City School Board for approval of a State Literary Fund loan application for improvements to Monterey Elementary School, in the amount of \$2 million; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Resolution Nos. 37364-041 706 and 37365-041 706. (7-0)  
File #329-467**

- c. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 37366-041 706. (7-0)  
File #60-467**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

## 10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## 11. HEARING ~~OF~~ CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Jeff S. Roudabush, 209 Princeton Circle, N. E., raised questions with regard to paving, sidewalk and curb installation on Princeton Circle, N. E.

File #57-514

Mr. Wiley J. Burrows, 325 Willow Oak Drive, S. W., commended the City on economic development initiatives.

File #450

Ms. Anita Wilson, a City Market Building tenant, expressed concern that her lease agreement did not include a renewal option. She advised that one-half of Market Building tenants could be disenfranchised if the City supports a recommendation of the Market study consultant.

File #42

Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation of Victory Stadium.  
File #122

## 12. CITY MANAGER COMMENTS:

(Council Member Wishneff left the meeting.)

CERTIFICATION OF CLOSED SESSION. (6-0)

Charles R. Shaver was appointed as an alternate member of the Local Board of Building Code Appeals.  
File #32-1 10

The following persons were nominated to Virginia Municipal League Policy Committees:

M. Rupert Cutler - Environmental Quality  
William M. Hackworth - General Laws  
Alfred T. Dowe, Jr. - Human Development and Education  
Beverly T. Fitzpatrick, Jr. - Transportation  
Jesse A. Hall - Finance  
File #17-1 10





**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**APRIL 17, 2006  
7:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**Call to Order -- Roll Call. (All Council Members were present.)**

The Invocation was delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

**NOTICE:**

Tonight's Council meeting will be replayed on Channel 3 on Thursday, April 20, 2006, at 7:00 p.m., and Saturday, April 22, 2006, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## A. PUBLIC HEARINGS:

1. Proposal of the City of Roanoke to amend Vision 2001-2020, the City's Comprehensive Plan, to include the ***Art for Everyone, Roanoke Public Art Plan***. R. Brian Townsend, Agent, City Planning Commission.  
**Adopted Ordinance No. 37367-041706. (7-0)**  
**File #230-424**
2. Request of The Roanoke Mental Hygiene Services, Inc., that a tract of land located at 3003 Hollins Road, N. E., identified as Official Tax No. 3140817, and adjacent property identified as Official Tax No. 3140811, be rezoned from RM-1, Residential Mixed Density District, to INPUD, Institutional Planned Unit Development District, subject to certain conditions proffered by the petitioner, for the purpose of constructing a group care facility, halfway house on the properties. S. James Sikkema, Executive Director, Spokesperson.  
**Adopted Ordinance No. 37368-041706. (7-0)**  
**File #51**
3. Request of Covenant Presbyterian Church to amend the INPUD, Institutional Planned Unit Development District, to include a development plan for property located at 1831 Deyerle Road, S. W., Official Tax No. 5070410, to allow for construction of a new addition on the property. C. John Renick, Attorney.  
**Adopted Ordinance No. 37369-041706. (7-0)**  
**File #51**
4. Request of Straight Street Roanoke Valley, Inc., a non-profit organization, for exemption from local real estate taxation of real property located at 333 Luck Avenue, S. W. Darlene L. Burcham, City Manager; and Keith Farmer, Director, Straight Street Roanoke Valley, Inc., Spokesperson.  
**Adopted Ordinance No. 37370-041706. (7-0)**  
**File #79**

5. Request of Blue Ridge Gospel Outreach, Inc., a non-profit organization, for exemption from local real estate taxation of real property located at 9 Salem Avenue, S. W. Darlene L. Burcham, City Manager; and Scott Lyons, President, Blue Ridge Gospel Outreach, Inc., Spokesperson.

**Adopted Ordinance No. 37371-041 706. (7-0)**

**File #79**

6. Request of Marcus O. Brown, Sr., that a portion of a tract of land located on Viewmont Street, N. W., identified as Official Tax No. 2660514, be rezoned from R5, Residential Single Family District, to CG, Commercial General District, for the purpose of a used motor vehicle sale and service establishment. Marcus O. Brown, Sr., Spokesperson.

**Adopted Ordinance No. 37372-041 706. (7-0)**

**File #51**

7. Proposal of the City of Roanoke to appropriate certain remaining bond funds to a capital account for the purpose of renovating or constructing new library facilities in the City. C. Nelson Harris, Mayor.

**Adopted Resolution No. 37373-041 706 and Budget Ordinance No. 37374-041 706. (5-2, Council Members Lea and Wishneff voted no.)**

**File #53-122-323**

## **B. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

**Ms. Barbara Martinet, 823 Orchard Road, S. W., presented statistics that were included on the Virginia Department of Education website with regard to Roanoke City Schools graduation statistics.**

**File #467**

**Mr. Tony Hairston, 1263 Tayloe Avenue, S. E., spoke in connection with overall concerns regarding the City of Roanoke. File #66**

**Mr. Robert E. Gravely, 727 29th Street, N. W., spoke in support of a better pay scale for City employees. File #66-184**

**Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation of Victory Stadium. File #122**

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL THURSDAY, APRIL **27, 2006**, AT **7:00** P.M., IN THE CITY COUNCIL CHAMBER, ROOM 450, NOEL C. TAYLOR MUNICIPAL BUILDING, AT WHICH TIME THE COUNCIL WILL CONDUCT A PUBLIC HEARING ON THE PROPOSED 2007 FISCAL YEAR BUDGET FOR THE CITY ~~OF~~ ROANOKE AND REAL ESTATE AND CIGARETTE TAX RATES.